

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, DC 20554

21 SEP 1987

IN REPLY REFER TO:
1800B3-BJB

Community Educational Association
2636 Mission Road #42
Tallahassee, FL 32304

MM 94-88

Cornerstone Community Radio, Inc.
2596 State Road 44
New Smyrna Beach, FL 32168

In re: NEW(FM), Holly Hill, FL
Community Educational
Association
BPED-930316MF

NEW(FM), Flagler Beach, FL
Cornerstone Community
Radio, Inc.
BPED-930618MG

Dear Applicants:

Preliminary engineering reviews of the subject cochannel applications reveal that the proposed facilities would result in mutual electrical interference if they were constructed as specified in the subject applications. Thus the applications are considered to be mutually exclusive as they now stand. Grant of either of these applications would come only after a comparative hearing.

The policy of the Commission is to avoid sending educational applications to hearing, if at all possible, so that the substantial delays and expenses involved in the hearing can be avoided. This policy finds its underpinnings in the inability of many educational applicants to bear the costs (such as legal fees) that they would incur in prosecuting mutually exclusive applications through the hearing process.

Accordingly, we are taking this opportunity to make you aware of your application's mutual exclusivity. We will withhold further action with respect to the subject applications for a period of sixty (60) days so that you have an opportunity to evaluate the situation and hopefully take such steps as would remove the mutual exclusivity. Possible alternatives include frequency changes to increase the spectral separation of the proposed facilities. Share-time agreements between mutually exclusive educational applicants have also been employed to avoid designating their applications for hearing.

In sum, we urge you to communicate with each other concerning the mutual exclusivity issue and, if possible, to amend your applications so as to remove the present conflict between them.

Regarding Cornerstone Community Radio, Inc.'s application BPED-930618MG, we find that gross errors exist in the analysis pursuant to 47 CFR § 73.525 of this proposal's interference to Channel 6 TV operations. The proposal includes a plot of one FM F(50,10) interfering contour (65.8 dBu) and states that the interfering contour extends 4.7 kilometers from the transmitter site. However, this is not correct. To determine the affected area to Channel 6 operations, a series of ratios must be computed from 47 CFR § 73.599, depending on the TV field strength being considered, and the intersections of the corresponding FM interfering and TV contours plotted. Only then can the population affected be determined. In addition, if the entire interference area thus computed falls outside a city with a population of 50,000 or more, then the applicant may apply for a vertically polarized only effective radiated power 40 times (16 dB) that permitted a horizontally polarized only station, using the formulas in 47 CFR § 73.525(e)(4)(i).¹

For example, a Channel 212 operation would first consider the 47 dBu TV 6 contour. From 47 CFR § 73.599, we find that the corresponding ratio is 21.8 dB. Consequently, the FM interfering contour is the $(47 + 21.8 =)$ 68.8 dBu F(50,10) contour. This contour is plotted and the points of intersection, if any, between the 47 dBu TV contour and the 50.8 dBu FM interfering contour determined. The process is then repeated for the next TV 6 contour, for example, the 48 dBu contour. The § 73.599 ratio for this contour is 21 dB, therefore, the FM F(50,10) interfering contour is the $(48 + 21 =)$ 69 dBu contour, which is then plotted and its points of intersection with the TV 6 48 dBu contour located. Continuing this process, using sufficient numbers of TV and FM contours, the predicted interference area is found by connecting these points of intersection with a smooth curve. Once the area is found, the population affected within this area can be determined to verify compliance with 47 CFR § 73.525.

Consequently, BPED-930618MG must be amended by Cornerstone Community Radio, Inc. to demonstrate compliance with 47 CFR § 73.525. In order for the Commission to evaluate conformance with the requirements of 47 CFR § 73.525, the interference showing should include tabulations of the of the protected TV 6 field strength contours (see the enclosed Public Notice dated July 15, 1985, Mimeo No. 5795); diagrams of the interference area plotted on a Census County Subdivision Map (MCD, CCD, or equivalent); details of any populations adjustments claimed, and tabulations of the number of persons contained within the predicted interference area. The analysis must address all of the applicable requirements of 47 CFR § 73.525.²

¹ Note that the use of a higher vertical power pursuant to 47 CFR § 73.525(e)(4) does not affect either the size or the location of the predicted interference area. The higher vertical power is permitted by this section because the vertically polarized signal has less interference potential than a horizontally polarized one.

²The amendment must include the required Census County Map; this map may not be filed at a later date.

Action on these two applications will be deferred for 60 days, to allow you the opportunity to negotiate and submit any necessary amendments. Failure to respond within this time period will result in these applications being designated for comparative hearing. Please note that any response must be submitted in triplicate through the Office of the Secretary and signed in the same manner as the original application.

Sincerely,

A handwritten signature in black ink, appearing to read "Dale E. Bittner".

for Dennis Williams
Chief, FM Branch
Audio Services Division
Mass Media Bureau

cc: Kenkel and Associates
Carl T. Jones Corporation
Birch, Horton, Bittner and Cherot
Richard Van Zandt

Enclosure